

OCA 87-5562
2 November 1987

NOTE FOR: The Director
FROM: Dave Gries
SUBJECT: Statutory Inspector General

Attached at Tab A are talking points that explain our reasons for opposing legislation to create a statutory Inspector General. Senator Specter has introduced such legislation, and the Iran/Contra Committee may endorse the concept.

Attached at Tab B is a copy of the portion of the Specter bill dealing with a statutory Inspector General. I have also attached at Tab C a copy of the Inspector General Act of 1978 that creates a statutory Inspector General for a variety of other agencies and departments. You will note that the Act of 1978 gives the Inspector General broader powers and responsibilities than are contained in the Specter bill. There is no legislation at this point which would add CIA to the list of agencies subject to the Act of 1978.

Attachments
as stated

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NOTE FOR: Dave Gries

FROM:

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SUBJECT: Talking Points on Statutory IG

showed me the draft. You may want to add in the cover memo that S. 908, a bill to amend the IG Act, was introduced by Senator Glenn earlier this year and did not include the CIA. (Included was Treasury, Federal Emergency Management Agency, NRC, and OPM.)

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You may want to add in the talking points themselves the fact that the Agency is not limited to regularly scheduled and announced inspections or investigations, but can conduct such on the IG's own initiative and/or on a "surprise" basis when the IG finds this necessary or appropriate. Also, the IG now reports directly to the DCI, DDCI or ExDir and is not responsible to any other Agency officials.

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APPENDIX 3

INSPECTOR GENERAL ACT OF 1978

Pub.L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended Pub.L. 96-88, Title V, § 508(n), Oct. 17, 1979, 93 Stat. 694; Pub.L. 97-113, Title VII, § 705, Dec. 29, 1981, 95 Stat. 1544; Pub.L. 97-252, Title XI, § 1117(a)-(c), Sept. 8, 1982, 96 Stat. 75-752; Pub.L. 99-93, Title I, § 150(a), Aug. 16, 1985, 99 Stat. 427; Pub.L. 99-399, Title IV, § 412(a), Aug. 27, 1986, 100 Stat. 867.

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| <p>Sec.</p> <ol style="list-style-type: none"> 1. Short title. 2. Purpose and establishment of Offices of Inspector General; departments and agencies involved. 3. Appointment of Inspectors General; supervision; removal; political activities; appointment of Assistant Inspector General for Auditing and Assistant Inspector General for Investigations. 4. Duties and responsibilities; report of criminal violations to Attorney General. 5. Semiannual reports; transmittal to Congress; availability to public; immediate report on serious or flagrant problems. | <p>Sec.</p> <ol style="list-style-type: none"> 6. Authority of Inspectors General; information and assistance from Federal agencies; unreasonable refusal, office space and equipment. 7. Complaints by employees; disclosure of identity; reprisals. 8. Additional provisions with respect to the Inspector General of the Department of Defense. 8A. Special provisions relating to the Agency for International Development. 9. Transfer of functions. 10. Conforming and technical amendments. 11. Definitions. 12. Effective date. |
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§ 1. Short title

That this Act be cited as the "Inspector General Act of 1978".

Legislative History. For legislative history and purpose of Pub.L. 95-452, see 1978 U.S. Code Cong. and Adm. News, p. 2676.

§ 2. Purpose and establishment of Offices of Inspector General; departments and agencies involved

In order to create independent and objective units—

(1) to conduct and supervise audits and investigations relating to programs and operations of the Department of Agriculture, the Department of Commerce, the Department of Defense, the Department of Education, the Department of Housing and Urban Development, the Department of the Interior, the Department of Labor, the Department of Transportation, the Agency for International Development, the Community Services Administration, the Environmental Protection Agency, the General Services Administration, the National Aeronautics and Space Administration, the Small Business Administration, the United States Information Agency, the Veterans' Administration, and the Department of State;

(2) to provide leadership and coordination and recommend policies for activities designed (A) to promote economy, efficiency, and effectiveness in the administration of, and (B) to prevent and detect fraud and abuse in, such programs and operations; and

(3) to provide a means for keeping the head of the establishment and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action;